THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 5433 of 1994

Date:23-09-2005

Between:

C. Krishna Rao Yadav S/o. C. Pentraiah
Nrupatunga Degree College, Lingampally, At Hyderabad.

..... PETITIONER

AND

1 Karnataka Sikshana Samiti No. 3-4-373 and 374 Bagh Lingampally, Hyderabad-27 rep. by its President and others.

Respondents

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

W.P.No.5433 of 1994

ORDER:

The writ petitioner approached this Court through this writ of Mandamus seeking to declare the order of the first respondent dated 15-03-1994 terminating the services of the petitioner as Physical Director as illegal, arbitrary, null and void and to further declare that the petitioner is entitled to be continued with all consequential benefits.

The petitioner contended that he was appointed as a Physical Director on *ad hoc* basis in the college of the second respondent for the academic year 1990-91. Subsequently, he was appointed for further academic years on *ad hoc* basis. When there was a notification for regular post of Physical Director, he made an application and he was selected and appointed. But on 12-03-1993, the first respondent issued an order intimating the petitioner that his services are no longer required. The petitioner, being aggrieved by the said order, filed W.P.No.12969 of 1993 and it is pending before this Court. On 17-06-1993, the first respondent issued another notification for filling up the post of Physical Director. The petitioner approached the Civil Court and obtained the injunction order from the Court and it was made absolute.

On 15-03-1994, the first respondent issued another order terminating the services of the petitioner with effect from 15-03-1993 by observing that his services are purely temporary and on *ad hoc* basis. The petitioner, being aggrieved by the said order, approached this Court through this writ petition challenging its legality.

During the course of arguments, the learned counsel for the petitioner submitted that the management of the first respondent considered the petitioner and other candidates for appointment to the respective posts and accordingly, the petitioner and seven others were appointed as teaching staff and a letter was addressed to Osmania University on 31-01-1995 for approving the appointment of the petitioner and other candidates and also sent a letter to the Commissioner for Higher Education. He further submitted that those appointments were made as per the procedure prescribed under the Rules by advertising the posts, calling the candidates for interview constituting the selection committee and making the selection as per merit. The learned counsel for the petitioner also submitted that in pursuance of the appointment, the petitioner continued in service. He also submitted that the Osmania University prepared a list showing the particulars of regular teaching staff and the name of the petitioner is also finding place at serial No.8 of the said list.

In the light of above submissions, it is noticed that no cause of action for the present writ petition survives and no further orders are required to be passed.

The writ petition is, accordingly, disposed of. No order as to costs.

_____

(Dr.G.YETHIRAJULU, J)

Dated 23rd September, 2005.

YCR